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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,719	10/17/2003	Jong-Phil Lee	44663	8798
7590 06/22/2009				
Peter L. Kendall Roylance, Abrams, Berdo & Goodman, L.L.P. Suite 600 1300 19th Street, N.W. Washington, DC 20036			EXAMINER LAI, MICHAEL C	
			ART UNIT 2457	PAPER NUMBER
			MAIL DATE 06/22/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/686,719

Applicant(s)

LEE, JONG-PHIL

Examiner

MICHAEL C. LAI

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This office action is responsive to communication filed on 4/14/2009.

Claims 1-14 have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/14/2009 has been entered.

Response to Amendment

3. The examiner has acknowledged the amended claims 1, and 3. The objection to claim 3 and 112 second paragraph rejection to claim 1 have been corrected and withdrawn accordingly.

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Specification

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Applicant fails to provide antecedent basis for the claim terminology "computer-readable medium" in claims 9-14.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 9-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 9 recites the limitation of "A computer-readable medium of instructions ...". However, Applicant fails to provide antecedent basis for the claim terminology "computer-readable medium." A "computer-readable medium" can be any means that can contain, store, communicate, **propagate**, or **transport** the program for use by or in connection with the instruction execution system, apparatus, or device. As such, the claim would fairly suggest to one of ordinary skill signals or other forms of propagation and transmission media, or other items failing to be an appropriate manufacture under 35 USC 101 in the context of computer-related inventions. Claims 10-14 depend on claim 9. The claims are being rejected as failing to be limited to embodiments which fall within a statutory category. Note that the limitation "A computer-readable medium of instructions ..." itself is unclear in what relationship between the computer-readable medium and instructions.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (US 6,519,241B1, hereinafter Theimer), in view of Hauduc et al. (US 6,993,568 B1, hereinafter Hauduc), and further in view of Henry et al (US 2003/0195952 A1, hereinafter Henry).

Regarding claim 1, Theimer discloses a device for managing information data in a mobile IP-based mobile telephone, the device comprising:

an embedded web server for displaying a homepage of the mobile telephone on a web browser when linked to the mobile telephone through the web browser of a telecommunication system [FIG. 1 Web server 2, Authorized browser 5, and column 3, lines 26-48], driving a CGI/ASP program to generate a command for communication between the mobile phone and the telecommunication system using the web browser [As one skilled in the art knows when a user submits a form through a Web browser, the HTTP server executes a program (often called a CGI script or CGI program) and passes the user's input information to that program via CGI. The program then returns information to the server via CGI (see Microsoft Computer Dictionary, 5th Edition). Theimer discloses communications between the Web server and the Web browser/other servers via a CGI (see column 4, lines 16-26). Theimer clearly teaches this limitation], displaying data of a selected menu stored in the mobile

telephone on the web browser according to the command [col. 3, lines 49-64,
display on authorized browser 5];

a CGI/ASP program of server driven by the embedded web server to
generate a command for communication between the mobile telephone and the
telecommunication system using the web browser [col. 4, lines 16-26];

a homepage of the mobile telephone for displaying information
management menus of the mobile telephone [col. 1, lines 34-44]; and

a memory for storing data of the information management menus [col. 4,
lines 8-13, storage medium 12].

Theimer discloses substantially all the limitations, but fails to specifically
disclose a language pack storing at least one language so that the information
management menus can be displayed in a selected language.

However, Hauduc discloses the idea of using language packs that can
convert the content of the Web pages into the desired language and render the
translated content for the Web client [col. 2, lines 35-49]. Thus it would have
been obvious to a person with ordinary skill in the art at the time the invention
was made to modify the teaching of Theimer by incorporating Hauduc's idea for
the purpose of providing the content of a Web application in the client's preferred
language, thereby providing language localization for server-based applications.

Theimer and Hauduc disclose substantially all the limitations as described
above, but fail to specifically disclose about updating a data updated in the web

browser on the mobile telephone according to the command and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser. However Henry discloses a method over an interconnecting network using a web browser to manually make changes to the configuration of a digital transmitter device using an embedded-web server in the digital transmitter device [para. 0004, 0013, and 0014]. Thus it would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Theimer and Hauduc by incorporating Henry's idea for the purpose of synchronizing the web browser with data on mobile phones by updating a data on the mobile phone via the web browser and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser, thereby removing the burden for an administrator of the interconnecting network [para. 0004].

Regarding claim 2, Theimer further discloses wherein said information management menus represent information of the mobile telephone [col. 1, lines 34-44].

Regarding claim 3, Theimer discloses a method for managing information data in a mobile IP-based mobile telephone, the method comprising the steps of:

accessing the mobile telephone through an Internet web browser of a telecommunication system [FIG. 1, Authorized browser 5, and column 3, lines 26-48];

displaying a homepage of the mobile telephone on the web browser [col. 1, lines 34-44];

displaying information management menus in the selected language [col. 3, lines 49-64, display on authorized browser 5];

when one menu is selected from the information management menus, driving, by an embedded web server of the mobile phone, a CGI/ASP program of the mobile phone to generate a command, and displaying data of the selected menu stored in the mobile phone on the web browser according to the command [As one skilled in the art knows when a user submits a form through a Web browser, the HTTP server executes a program (often called a CGI script or CGI program) and passes the user's input information to that program via CGI. The program then returns information to the server via CGI (see Microsoft Computer Dictionary, 5th Edition). Theimer discloses communications between the Web server and the Web browser/other servers via a CGI (see column 4, lines 16-26). Theimer clearly teaches this limitation];

Theimer discloses substantially all the limitations, but fails to specifically disclose a language pack storing at least one language so that the information management menus can be displayed in a selected language. However, Hauduc discloses the idea of using language packs that can convert the content of the Web pages into the desired language and render the translated content for the

Web client [col. 2, lines 35-49]. Thus it would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Theimer by incorporating Hauduc's idea for the purpose of providing the content of a Web application in the client's preferred language, thereby providing language localization for server-based applications.

Theimer and Hauduc disclose substantially all the limitations as described above, but fail to specifically disclose about data is updated in the web browser and same data updated in the mobile telephone according to the command and transmitting a message of successful update to the web browser. However Henry discloses a method over an interconnecting network using a web browser to manually make changes to the configuration of a digital transmitter device using an embedded-web server in the digital transmitter device [para. 0004, 0013, and 0014]. Thus it would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Theimer and Hauduc by incorporating Henry's idea for the purpose of synchronizing the web browser with data on mobile phones by updating a data on the mobile phone via the web browser and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser, thereby removing the burden for an administrator of the interconnecting network [para. 0004].

Claims 4-5 substantially incorporate all the limitations of claims 1-3. The reasons for the rejection of claims 1-3 apply to claims 4-5. Therefore claims 4-5 are rejected for substantially the same reasons.

Regarding claims 6-7, Theimer further discloses wherein said command includes a standard protocol for communication between the mobile telephone and the telecommunication system using the web browser [col. 4, lines 16-25].

Claim 8 is of the same scope as claim 2. It is rejected for the same reason as for claim 2.

Claims 9-14 are of the same scope as claims 3-8. They are rejected for the same reasons as for claims 3-8.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
11. Parry, US Patent Number 7,002,703 B2, has taught methods of using an embedded Web server on a printing device to automatically download desired web-based data from a remote Web site.
- Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
16JUN2009

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Primary Examiner, Art Unit 2457